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UNCLAS SECTION 01 OF 02 PORT OF SPAIN 000409

SIPDIS

SANTO DOMINGO FOR REGIONAL COMMERCIAL OFFICE

E.O. 12958: N/A

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SUBJECT: TRINIDAD SEEKS BILAT AGREEMENT ON SMELTER WASTE

11. This is an action request for the Department. Please see paragraph 3.

12. SUMMARY. Post received a letter October 15 signed by the Minister of Foreign Affairs and addressed to the Secretary requesting the conclusion of a bilateral agreement for the reception and treatment in the United States of waste to be generated from aluminum smelting in Trinidad and Tobago. The FM stressed the urgency of the request during a conversation with the Charge on October 19. GOTT attempts to develop an aluminum industry have faltered due to environmental and financing challenges, with a June 2009 injunction halting construction on the Alutrint smelter project in the La Brea area of southern Trinidad. The GOTT, nonetheless, appears committed to the project, and the desire to conclude a bilateral waste disposal agreement may represent a measure toward addressing environmental concerns. END SUMMARY.

13. ACTION REQUEST. Post seeks guidance from Washington regarding the GOTT's request to conclude a bilateral agreement for the reception and treatment in the United States of aluminum smelting waste. The text of the letter is as follows. We have reprinted the text of the letter below, and forwarded to WHA/CAR the original letter by official pouch and a scanned copy via unclassified email.

TEXT BEGINS

-Conclusion of a bilateral agreement between Trinidad and Tobago and the United States of America for reception and treatment in the United States of Spent Potlining Waste to be generated from aluminum smelting in Trinidad and Tobago

-Dear Madame Secretary,

-I write to convey the keen interest of the Government of the Republic of Trinidad and Tobago in entering into an agreement at the earliest opportunity with the Government of the United States of America relating to the conclusion and signature of a bilateral agreement between the two Governments on the transboundary movement and disposal of hazardous spent potlining wastes that will be generated from the scheduled introduction of an aluminum smelting industry in Trinidad and Tobago. The aluminum smelter will be owned by the Government of Trinidad and Tobago.

-Currently, no suitable local disposal facilities exist in Trinidad and Tobago for the disposal of such hazardous wastes. As such, this would necessitate the shipment of hazardous waste generated from the aluminum smelter industry in Trinidad and Tobago to disposal facilities in other countries such as the United States of America. The Basel convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ("the Convention"), to which Trinidad and Tobago is a Party and the United States a Signatory, regulates strictly the transboundary movements of hazardous wastes and imposed obligations on Parties to ensure that such wastes are managed in an environmentally sound manner, and it is in this regard that we urgently seek to conclude a bilateral agreement with the Government of the United States.

-The Government of Trinidad and Tobago also considers that bilateral cooperation in this area through the proposed agreement on the treatment of spent potlining wastes in the United States would cement even further existing economic links between Trinidad and Tobago and the United States and would redound to the economic benefit of both countries, while permitting both States to act in accordance with the applicable provisions of the Convention.

-The Government of Trinidad and Tobago also considers that bilateral cooperation in this area through the proposed agreement on the treatment of spend potlining wastes in the United States would cement even further existing economic links between Trinidad and Tobago and the United States and would redound to the economic benefit of both countries, while permitting both States to act in accordance with the applicable provisions of the Convention.

-The Government of the Republic of Trinidad and Tobago looks forward to the maintenance of the high level of mutually beneficial cooperation that currently exists between the two Governments, as it seeks to diversify the Trinidad and Tobago economy and thereby transform Trinidad and Tobago into an even stronger economic partner of the United States in this region.

-Your early reply in the affirmative to this proposal for the conclusion of a bilateral agreement between our two Governments would constitute an undertaking by the Governments of the Republic of Trinidad and Tobago and of the United States of America to enter into discussions at a mutually convenient time in the near future to conclude an agreement that sets out the procedure and modalities relating to the reception and treatment in the United States of spent potlining wastes derived from aluminum smelting operations in

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Trinidad and Tobago. The modalities for the conclusion of the proposed agreement can be elaborated between the Ministry of Foreign Affairs and the Department of State.

-I look forward with earnest to an early intimation of the willingness of the Government of the United States to enter into an agreement with the Government of the Republic of Trinidad and Tobago to permit the treatment in the United States of spent potlining from aluminum smelting operations in Trinidad and Tobago.

-Please accept, Excellency, renewed assurances of my highest consideration and esteem.

-Yours sincerely,

-Paula Gopee-Scoon, Minister

TEXT ENDS

KUSNITZ